



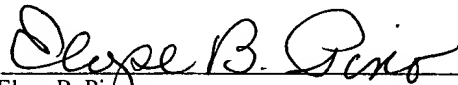
DOCKET NO.: N0260.70031US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Webb et al.
Serial No.: 09/265,307
Confirmation No.: 4390
Filed: March 9, 1999
For: FATTY ACID-ANTICANCER CONJUGATES AND USES THEREOF
Examiner: Ba K. Trinh
Art Unit: 1625

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 20th day of April, 2005.


Elyse B. Piro

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: 09/265,307
Conf. No.: 4390

- 3 -

Art Unit: 1625

An early and favorable action is hereby requested.

Respectfully submitted,

Webb et al., Applicants

By:



Roque El-Hayek, Reg. No. 55,151
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: N0260.70031US00
Date: April 20, 2005
xNDDx



FORM PTO-1449/A and B (Modified)

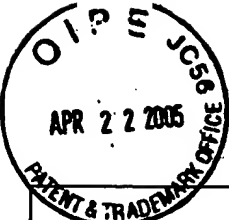
**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 09/265,307	ATTY. DOCKET NO.: N0260.70031US00
FILING DATE: March 9, 1999	CONFIRMATION NO.: 4390
APPLICANT: Webb et al.	
GROUP ART UNIT: 1625	EXAMINER: Trinh, Ba K.

Sheet 1 of 5

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	2004/0180949	A1	Shashoua et al.	09/16/2004
	A2	2004/0106589	A1	Webb et al.	06/03/2004
	A3	6,627,601	B2	Shashoua	09/30/2003
	A4	6,602,902	B2	Shashoua et al.	08/05/2003
	A5	6,576,636	B2	Webb et al.	06/10/2003
	A6	2003/0065023	A1	Swindell et al.	04/03/2003
	A7	2002/0177609	A1	Swindell et al.	11/28/2002
	A8	6,448,392	B1	Hostetler et al.	09/10/2002
	A9	6,407,137	B2	Shashoua	06/18/2002
	A10	6,407,075	B1	Scott et al.	06/18/2002
	A11	6,258,836	B1	Shashoua	07/10/2001
	A12	6,252,060	B1	Hostetler	06/26/2001
	A13	6,225,460	B1	Bischofberger et al.	05/01/2001
	A14	6,225,444	B1	Shashoua	05/01/2001
	A15	6,197,764	B1	Bradley et al.	03/06/2001
	A16	6,153,653		Shashoua	11/28/2000
	A17	6,107,499		Shashoua	08/22/2000
	A18	6,069,249		Arimilli et al.	05/30/2000
	A19	6,043,230		Arimilli et al.	03/28/2000
	A20	6,024,977		Yatvin et al.	02/15/2000
	A21	6,005,004		Katz et al.	12/21/1999
	A22	5,977,089		Arimilli et al.	11/02/1999
	A23	5,977,061		Holy et al.	11/02/1999
	A24	5,922,695		Arimilli et al.	07/13/1999
	A25	5,824,701		Greenwald et al.	10/20/1998
	A26	5,814,456		O'Rand et al.	09/29/1998
	A27	5,716,614		Katz et al.	02/10/1998
	A28	5,646,180		Chaturvedi	07/08/1997
	A29	5,604,198		Poduslo et al.	02/18/1997
	A30	5,603,959		Horrobin et al.	02/18/1997
	A31	5,532,374		Lee et al.	07/02/1996
	A32	5,532,372		Saji et al.	07/02/1996
	A33	5,496,714		Comb et al.	03/05/1996
	A34	5,494,999		Hale et al.	02/27/1996
	A35	5,459,256		Marquez et al.	10/17/1995
	A36	5,420,276		Norbeck	05/30/1995
	A37	5,352,596		Cheung et al.	10/04/1994



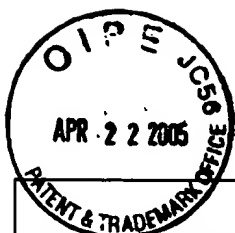
FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/265,307	ATTY. DOCKET NO.: N0260.70031US00
				FILING DATE: March 9, 1999	CONFIRMATION NO.: 4390
				APPLICANT: Webb et al.	
				GROUP ART UNIT: 1625	EXAMINER: Trinh, Ba K.
Sheet	2	of	5		

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A38	5,314,991		Oka et al.	05/24/1994
	A39	5,169,764		Shooter et al.	12/08/1992
	A40	5,169,762		Gray et al.	12/08/1992
	A41	5,068,224		Fryklund et al.	11/26/1991
	A42	4,868,161		Roberts	09/19/1989
	A43	4,704,393		Wakabayashi et al.	11/03/1987
	A44	4,684,646		Chang et al.	08/04/1987
	A45	4,558,049		Bernardi et al.	12/10/1985
	A46	4,554,272		Bock et al.	11/19/1985
	A47	4,407,744		Young	10/04/1983
	A48	4,351,831		Growdon et al.	09/28/1982
	A49	4,346,085		Growdon et al.	08/24/1982
	A50	4,287,184		Young	09/01/1981
	A51	4,185,095		Young	01/22/1980
	A52	4,097,597		Horrom et al.	06/27/1978
	A53	3,539,573		Schmutz et al.	11/10/1970

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B1	AU	770519		Bradley et al.	02/26/2004	
	B2	AU	746472		Bradley et al.	05/02/2002	
	B3	EP	0 350 287		Hostetler et al.	01/10/1990	
	B4	EP	0 311 100		Partridge et al.	04/12/1989	Abstract in English
	B5	EP	0909183	B1	Bradley et al.	04/21/1999	
	B6	EP	0 091 694		Yamatsu et al.	10/19/1983	
	B7	JP	8-245378		Yazawa et al.	09/24/1969	
	B8	JP	8151334		Yazawa	06/11/1996	Abstract only
	B9	WO	02/087586	A1	Chen et al.	11/07/2002	
	B10	WO	01/62085	A1	Lai et al.	08/30/2001	
	B11	WO	00/67802		Bradley et al.	11/16/2000	
	B12	WO	00/53231		Webb et al.	09/14/2000	
	B13	WO	00/01417		Fischer et al.	01/13/2000	
	B14	WO	99/44600		Horrobin et al.	09/10/1999	
	B15	WO	99/26620		Shashoua	06/03/1999	
	B16	WO	98/21223		Zhou et al.	05/22/1998	



INFORMATION DISCLOSURE STATEMENT BY APPLICANT FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 09/265,307	ATTY. DOCKET NO.: N0260.70031US00
				FILING DATE: March 9, 1999	CONFIRMATION NO.: 4390
				APPLICANT: Webb et al.	
				GROUP ART UNIT: 1625	EXAMINER: Trinh, Ba K.
Sheet	3	of	5		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B17	WO	98/09621		Bredt et al.	09/12/1997	
	B18	WO	97/33173		Hostetler	01/21/1993	
	B19	WO	96/22303		Whittaker et al.	07/25/1996	
	B20	WO	93/00910		Hostetler	01/21/1993	
	B21	WO	92/16554		Knox et al.	10/01/1992	
	B22	WO	90/00555		Hostetler et al.	01/25/1990	
	B23	WO	89/02733		Hostetler et al.	04/06/1989	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

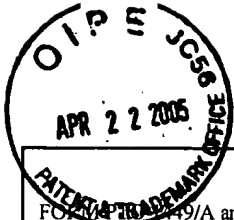
Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	AIHARA, M., et al., "Effects of liposteroid on skin lesions in autoimmune MRL ^{lpr/lpr} mice," <i>J. of Dermatological Science</i> 16 (1997), pp. 45-51.	
	C2	BALDESSARINI et al., "Dopamine and the Pathophysiology of Dyskinesias Induced by Antipsychotic Drugs," <i>Ann. Rev. Neurosci.</i> 3:23-41 (1980).	
	C3	BRAAM, J. et al., "Rain-, Wind-, and Touch-Induced Expression of Calmodulin and Calmodulin-Related Genes in Arabidopsis," <i>Cell</i> , 60:357-364 (1990).	
	C4	BRIDGES, A.J. et al., "N ⁶ -(2,2-Diphenylethyl)adenosine, a Novel Adenosine Receptor Agonist with Antipsychotic-like Activity," <i>J. Med. Chem.</i> 30:1709-1711 (1987).	
	C5	"Dexamethasone palmitate: Chemical Teratogens, Carcinogens, Mutagens," CAS# [33755-46-3], ACX# [11012259], http://www.evol.nw.ru/labs/lab38/spirov/hazard/dexamethasone_palmitate.html	
	C6	ERTEL, et al., "Type III Agatoxins: A Family of Probes for Similar Binding Sites on L- and N-Type Calcium Channels," <i>Biochemistry</i> , 33:5098-5108 (1994).	
	C7	FUNAUCHI, M., et al., "Effects of liposteroid on the hemophagocytic syndrome in systemic lupus erythematosus," <i>Lupus</i> 12 (2003), pp. 483-485.	
	C8	GARZON-ABURBEH et al., "A Lymphotropic Prodrug of L-Dopa: Synthesis, Pharmacological Properties, and Pharmacokinetic Behavior of 1,3-Dihexadecanoyl-2-[(S)-2-amino-3-(3,4-dihydroxyphenyl)propanoyl]propane-1,2,3-triol" <i>J. Med. Chem.</i> , 29: 687-691 (1986).	
	C9	GUENARD et al., "Effects of the Hydrophobicity of Taxoids on their Interaction with Tubulin," <i>Bioorganic & Medicinal Chemistry</i> , Vol. 8 (2000), pp. 145-156.	
	C10	GUNNE et al., "Oral Dyskinesia in Rats Following Brain Lesions and Neuroleptic Drug Administration," <i>Psychopharmacology</i> , 77: 134-139 (1982).	
	C11	HOSHI, K., et al., "Double-blind study with liposteroid in rheumatoid arthritis," <i>Drugs Exptl. Clin. Res.</i> XI(9) (1985), pp. 621-626.	
	C12	KONIGSTORFER et al., "Biosynthesis of Ependymins from Goldfish Brain," <i>J. Biol. Chem.</i> , vol. 264 (23): 13689-13692 (1989).	
	C13	KONIGSTORFER et al., "Molecular Characterization of an Ependymin Precursor from Goldfish Brain," <i>J. Neurochem.</i> , 52: 310-312 (1989).	
	C14	KRETSINGER, R.H. et al., "The EF-Hand, Homologs and Analogs," <i>Novel Calcium-Binding Proteins</i> , pp. 17-37 (1991).	
	C15	LEONARD et al., "Identification and Characterization of mRNAs Regulated by Nerve Growth Factor in PC12 Cells," <i>Molecular and Cellular Biology</i> , 7(9): 3156-67 (1987).	
	C16	MARDER, S.R., "Management of Schizophrenia," <i>J. Clin Psychiatry (supp 3)</i> , 57: 9-13 (1996).	



INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 09/265,307		ATTY. DOCKET NO.: N0260.70031US00	
		FILING DATE: March 9, 1999		CONFIRMATION NO.: 4390	
		APPLICANT: Webb et al.			
		GROUP ART UNIT: 1625		EXAMINER: Trinh, Ba K.	
Sheet	4	of	5		

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C17	MARSDEN, B.J. et al., "H NMR Studies of Synthetic Peptide Analogues of Calcium-Binding Site III of Rabbit Skeletal Troponin C: Effect of the Lanthanum Affinity of the Interchange of Aspartic Acid and Asparagine Residues at the Metal Ion Coordinating Positions," <i>Biochemistry</i> , 27: 4198-4206 (1988).	
	C18	MEIER et al., "Molecular cloning of bovine and chick nerve growth factor (NGF): delineation of conserved and unconserved domains and their relationship to the biological activity and antigenicity of NGF," <i>The EMBO Journal</i> , vol. 5, 7: 1489-1493 (1986).	
	C19	MIZUSHIMA, Y., et al., "Tissue distribution and anti-inflammatory activity of corticosteroids incorporated in lipid emulsion," <i>Annals of the Rheumatic Diseases</i> , 41 (1982), pp. 263-267.	
	C20	ROCCO et al., "Models of Fibronectin," <i>The EMBO Journal</i> , 6: 2343-2349 (1987).	
	C21	Abstract of SCHABITZ et al., "The Effects of Prolonged Treatment with Citicoline in Temporary Experimental Focal Ischemia," <i>J. Neurol. Sci.</i> , (1996) 138(1-2): 21-25.	
	C22	SCOTT et al., "Isolation and nucleotide sequence of cDNA encoding the precursor of mouse nerve growth factor," <i>Nature</i> , 302, 538-540 (1983).	
	C23	SEKI, J., et al., "A nanometer lipid emulsion, lipid nano-sphere (LNS®), as a parenteral drug carrier for passive drug targeting," <i>International Journal of Pharmaceutics</i> 273 (2004), pp. 75-83.	
	C24	SHASHOUA et al., "Ependymin, a Brain Extracellular Glycoprotein, and CNS Plasticity," reprinted from <i>Activity-Driven CNS Changes in Learning and Development</i> , vol. 627 of the Annals of the New York Academy of Sciences, Aug. 5, 1991.	
	C25	SHASHOUA, V.E., "The Role of Brain Extracellular Proteins in Neuroplasticity and Learning," <i>Cellular and Mol. Neurobiol.</i> , 5 (1/2): 183-207 (1985).	
	C26	SHASHOUA et al., "Evidence for the In Vivo Polymerization of Ependymin: Brain Extracellular Glycoprotein," <i>Brain Research</i> , 522, pp. 181-190 (1990).	
	C27	SHASHOUA, V.E., "The Role of Ependymin in the Development of Long Lasting Synaptic Charges," <i>J. Physiol.</i> , Paris, 83: 232-239 (1988-1989).	
	C28	SUPHIOGLU, C. et al., "Molecular Cloning and Immunological Characterization of Cyn d 7, A Novel Calcium-Binding Allergen from Bermuda Grass Pollen," <i>FEBS Letters</i> , 402: 167-172 (1997).	
	C29	TERASAWA et al., "Neurocalcin: A Novel Calcium Binding Protein from Bovine Brain," <i>J. Biol. Chem.</i> , 267:27 (1992) pp. 19596-19599.	
	C30	YAMAMOTO et al., "The Survival of Rat Cerebral Cortical Neurons in the Presence of Trophic APP Peptides," <i>J. Neurobiol.</i> , 25, pp. 585-594 (1994).	
	C31	YOKOKAWA et al., "The Synthesis and Properties of EF-Hand Type Calcium-Binding Peptides," <i>Chem. Lett.</i> , pp. 1627-1630 (1989).	
	C32	YOKOYAMA, K., et al., "Development of a corticosteroid incorporated in lipid microspheres (liposteroid)," <i>Drugs Exptl. Clin. Res.</i> XI(9) (1985), pp. 611-620.	
	C33	YOUNG et al., "Differentiation of PC12 cells in response to a cAMP analogue is accompanied by sustained activation of mitogen-activated protein kinase: Comparison with the effects of insulin, growth factors and phorbol esters," <i>FEBS Letters</i> , 338: 212-216 (1994).	
	C34	PCT/GB97/02362 – Scotia Holdings, PLC – Search Report – February 20, 1998	
	C35	PCT/GB99/00563 – Scotia Holdings, PLC – Search Report – August 19, 1999	
	C36	PCT/US89/00757 – Shashoua – Search Report – June 14, 1989	
	C37	PCT/US91/03346 – Shashoua – Search Report – September 6, 1991	
	C38	PCT/US97/08792 – Neuromedica, Inc. – Search Report – October 28, 1997	
	C39	PCT/US97/08866 – Neuromedica, Inc. – Search Report – September 3, 1997	
	C40	PCT/US97/08867 – Neuromedica, Inc. – Search Report – January 9, 1998	
	C41	PCT/US98/24412 – Neuromedica, Inc. – Search Report – February 22, 1999	
	C42	PCT/US98/24421 – Neuromedica, Inc. – Search Report – March 3, 1999	
	C43	PCT/US98/24490 – Neuromedica, Inc. – Search Report – February 26, 1999	
	C44	PCT/US99/01786 – Neuromedica, Inc. – Search Report – July 6, 1999	
	C45	PCT/US00/12752 – Protarga, Inc. – Search Report – October 31, 2000	



INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.:	09/265,307	ATTY. DOCKET NO.:	N0260.70031US00		
				FILING DATE:	March 9, 1999	CONFIRMATION NO.:	4390		
				APPLICANT:				Webb et al.	
				GROUP ART UNIT:		1625	EXAMINER: Trinh, Ba K.		
Sheet	5	of	5						

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C46	International Search Report in PCT/US02/09471, mailed January 22, 2004	
	C47	International Search Report in PCT/US02/09389, mailed February 10, 2004	

EXAMINER:	DATE CONSIDERED:
-----------	------------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]